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## ILLINOIS RACING BOARD

### CERTIFICATE OF SERVICE

I, Marie Korczak, the undersigned, hereby certify that on October 17, 2016 the attached **Board Order for the September 27, 2016, Board Meeting** was deposited in the U.S. Mail by regular mail and certified receipt to the following service list:

#### SERVICE LIST

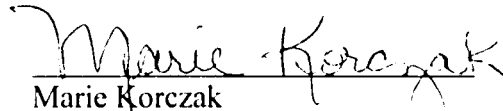
Richard Duchossois, Chairman  
Arlington International Racecourse, LLC  
2200 W. Euclid  
Arlington Heights, IL 60006

Tony Petrillo, General Manager  
Arlington International Racecourse, LLC  
2200 W. Euclid  
Arlington Heights, IL 60006

Tim Carey, President  
Hawthorne Race Course, Inc.  
3501 S. Laramie  
Cicero, IL 60804

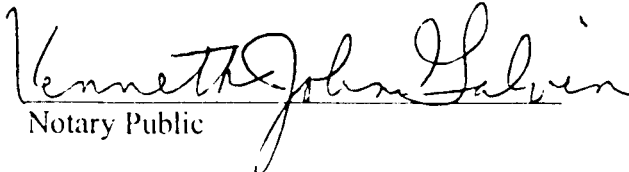
Tim Carey, President  
Suburban Downs, Inc.  
3501 S. Laramie  
Cicero, IL 60804

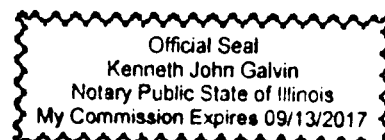
Brian Zander, President  
Fairmount Park, Inc.  
9301 Collinsville Road  
Collinsville, IL 62234

  
Marie Korczak  
Illinois Racing Board  
James R. Thompson Center  
100 W. Randolph Street, Suite 5-700  
Chicago, Illinois 60601

Subscribed and sworn to before me

On the 17<sup>th</sup> day of October, 2016

  
Notary Public



**STATE OF ILLINOIS  
ILLINOIS RACING BOARD**

**IN THE MATTER OF THE ISSUANCE OF ORGANIZATION LICENSES  
AND THE ALLOTMENT OF THOROUGHBRED AND STANDARDBRED RACING  
DATES FOR CALENDAR YEAR 2017**

**ORDER**

This matter came to be heard on the applications of Arlington International Racecourse, LLC ("Arlington"), Fairmount Park, Inc. ("Fairmount"), and Hawthorne Race Course, Inc. ("Hawthorne") for organization licenses and 2017 thoroughbred racing dates; and the application of Suburban Downs, Inc. at Hawthorne Race Course ("SDI") for an organization license and 2017 standardbred racing dates.

Each applicant submitted a written waiver of the contested case provisions of the Illinois Administrative Procedure Act (5 ILCS 100/1, *et seq.*) and elected to present evidence to the Illinois Racing Board ("Board") at an open meeting conducted on September 27, 2016 ("2017 Dates Hearing") at the James R. Thompson Center. (Tr., 15). The Board heard testimony from witnesses for each of the applicants and considered the applications and exhibits submitted by each of them. In addition, the Board heard testimony from representatives of the Illinois Thoroughbred Horsemen's Association ("ITHA") the Illinois Thoroughbred Breeders and Owners Foundation ("ITBOF"), and the Illinois Horsemen's Benevolent and Protective Association ("HBPA") per IRB Rule section 205.60. At the 2017 Dates Hearing, the Board deliberated and voted on the applications for organization licenses and race dates for 2017.

It is the public policy of this State to: (a) support and enhance Illinois' horse racing industry, which is a significant component within the agribusiness industry; (b) ensure Illinois' horse racing industry remains competitive with neighboring states; (c) stimulate growth within

Illinois' horse racing industry, thereby encouraging new investment and development to produce additional tax revenues and to create additional jobs; (d) promote the further growth of tourism; (e) encourage the breeding of thoroughbred and standardbred horses in Illinois, and (f) ensure that public confidence and trust in the credibility and integrity of Illinois horse racing operations and the regulatory process is maintained. (230 ILCS 5/1.2).

In granting organization licenses and allocating dates for horse race meetings<sup>1</sup>, Section 20(e-5) of the Illinois Horse Racing Act of 1975 ("Act") vests the Illinois Racing Board ("Board") with the discretion to determine an overall racing schedule which is conducive to the best interest of the sport of Illinois horse racing and Illinois public. 230 ILCS 5/20(e-5). In making this determination, the Board must consider the following factors enumerated in Section 20(e-5):

- The character, reputation, experience and financial integrity of the applicant and of any other person that controls such applicant, directly or indirectly;
- The facilities or proposed facilities for the conduct of horse racing;
- The total revenue to be derived by the State and horsemen from the applicant conducting a race meeting (without regard to Section 32.1);
- The good faith affirmative action plan of each applicant to recruit, train and upgrade minorities in all employment classifications;
- The applicant's financial ability to purchase and maintain adequate liability and casualty insurance;
- The applicant's proposed promotional and marketing budget and prior year's promotional and marketing activities and expenditures for those activities;
- Any agreement among applicants for the issuance of racing dates; and,
- The extent to which applicants meet or exceed other standards adopted by the Board.

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<sup>1</sup> "Horse race meeting" or "race meeting" or "meeting" shall mean the whole period of time, whether consecutive dates or those instances where nonconsecutive dates are granted, for which an organization license to race has been granted to any one organization licensee by the Board. (230 ILCS 5/3.07)

The Board has carefully reviewed each of the applications, exhibits, and supplemental information submitted by the applicants; all of the testimony and evidence; and the Board has officially noticed other materials in its possession including, but not limited to, the Board's annual reports, past Dates Orders, the 2017 Staff Report, and Board statistics on racing through September 10, 2016. With respect to each application, the Board has considered all of the statutory criteria listed in Section 20(e-5) of the Act. Being fully advised in the premises, the Board makes the following findings of fact and conclusions of law:

- 1) Each applicant has demonstrated the financial ability to purchase the necessary casualty and liability insurance. (2017 Apps., Ex. 18); (Staff Report, Ex. 9).
- 2) The following applicants own or have a lease or contract for the possession of the following racetracks:

ASSOCIATION

Arlington International Racecourse, LLC  
Fairmount Park, Inc.  
Hawthorne Race Course, Inc.  
Suburban Downs, Inc. at Hawthorne Race Course

TRACK

Arlington Park  
Fairmount Park  
Hawthorne Race Course  
Hawthorne Race Course

- 3) None of the applicants is in default in the payment of any obligation or debt due the State.
- 4) The mileage between Arlington Park and Hawthorne Race Course is 30.4 miles.  
Fairmount Park is located more than 225 miles from the racetracks at which all other applicants seek to conduct race meetings.
- 5) Each applicant has submitted a summary of its workforce and its affirmative action plan to recruit, train and promote female and minority employees. (2017 Apps., Ex. 27); (Staff Report, Ex. 11); (Tr., 43-5).

6) The racing dates awarded by the Board for 2016 were as follows:

### THOROUGHBRED

	<u>Host Days</u>	<u>Live</u>	<u>Dark</u>
<b>Arlington Park</b> January 3 through March 6 (no live racing) May 1 through September 29	216	74	142
<b>Fairmount Park</b> May 3 through September 5	n/a	42	
<b>Hawthorne Race Course</b> January 1 and 2 March 7 through April 30 September 30 through December 31	150	65	85

### STANDARD BRED

	<u>Host Days</u>	<u>Live</u>	<u>Dark</u>
<b>Suburban Downs Inc. at Hawthorne Race Course</b> January 6 through February 6 May 6 through September 25	366	128	238

(2016 Dates Order, Para. 29-33); (Staff Report, Ex. 1, Pg. 9).

7) The average daily handle (live and simulcast), State revenue generated, commingled handle (e.g., out-of-state handle on Illinois races) and on-track attendance at each 2016 race meeting through September 10, 2016 are set forth below:

	Average Daily Handle	Average Daily State Gov. Revenue***	Commingled Handle **	Attendance
<b>THOROUGHBRED</b>				
Arlington Park	\$1,641,000	\$23,596	\$1,272,695	7,862
Fairmount Park	\$129,191	\$1,138	\$237,571	2,472
Hawthorne Race Course Fall*	\$1,086,470	\$15,640	\$1,469,588	1,110
Hawthorne Race Course Spring	\$1,362,801	\$19,281	\$1,183,485	1,117
<b>STANDARD BRED</b>				
Suburban Downs Inc.	\$469,335	\$6,778	\$702,255	868

\* Hawthorne Race Course Fall statistics reflect its 2015 race program.

\*\* The State of Illinois does not generate revenue on commingled handle.

\*\*\* This reflects only the 1.5 percent pari-mutuel tax, and not local government revenue, sales or income or employment tax.

(Staff Report, Ex. 4, Pg. 10); (2015 Annual Report).

8) The Board considered the total revenue to be derived by the State and horsemen from the conduct of race meetings, without regard to Section 32.1 of the Act (pari-mutuel tax credit due to paid real estate taxes). State revenue generated per live race day through September 10, 2016

was greatest at Arlington (\$23,596), followed by Hawthorne, (\$19,281), SDI (\$6,778), and Fairmount (\$1,138). (Staff Report, Ex. 4, Pg. 10). Purses earned are a statutory percentage of, and proportionate to, handle generated. (230 ILCS 5/26, 26.2, 29).

9) Consideration of **Financial Integrity**. The Board carefully considered the financial integrity of each applicant. In doing so, the Board took into consideration the economic climate in which the applicants, equine and agricultural participants, and the Board all must operate. The decline in handle and revenues from wagering over the past sixteen (16) years has caused concern over the financial health of each of the applicants. Absent legislatively enacted financial relief, racing presents a financial challenge to each applicant. (Tr., 15-24, 35-8, 55-74).

In assessing the financial integrity of the applicants, the Board has reviewed each applicant's independently audited financial statements (2017 Apps., Ex. 5); (Staff Report, Ex. 6). The Board also considered a Financial Analysis of each applicant by IRB's Chief Fiscal Officer, Vitto Okoye, as well as the General Financial Statement Review Checklist ("Checklist"), which is a summary of the information contained in each applicant's financial statements (Staff Report, Ex. 6, Pg. 1-3). The Checklist includes a Z-score calculation for each applicant, of which the Board took official notice. A Z-score is a tool used to determine the potential risk of a business filing bankruptcy. *Id.* The Z-score factors in components of debt, equity, assets, and liabilities to determine a final Z-score. *Id.* The Z-score is then compared to historical information to evaluate the potential of bankruptcy. *Id.* A safe Z-score is greater than 2.60 with the potential for bankruptcy reflected by a score less than 1.10. *Id.* The Z-score does not account for collateral or pledged assets that are not reflected on an entity's balance sheet. *Id.* Arlington's current year (2015) Z-score is 3.89 compared to its prior year (2014) Z-score of 3.73; Hawthorne, -7.44

compared to -4.30<sup>2</sup>; Fairmount, 9.56 compared to 13.19; and SDI, 9.66 compared to 11.04. (Staff Report, Ex. 6, Pg. 1).

With respect to Hawthorne's negative 7.44 (-7.44) Z-score for calendar year 2015, the Board notes Hawthorne received a "clean opinion" and did not receive a "going concern" disclosure from its independent auditor. (Staff Report, Ex. 6, Pg. 1-3, 6-11). Hawthorne's 2013, 2014, and 2015 Z-scores and current ratios are calculated based on its Marketable Securities (approximately a 6.6 million dollar FMV) being restricted. (2016 Dates Order, Para. 9); (Staff Report, Ex. 6, Pg. 3); (Hawthorne App., Ex. 5, Consolidated Financial Statements for 2015 and 2014, Notes 5, 16-7). These assets were pledged to Inland Bank, and thus, not classified as current assets. *Id.* Footnote 5, entitled "LONG-TERM DEBT" states in pertinent part,

The Loan and Security Agreement is cross-collateralized by substantially all assets of the Company, certain cash and investment accounts of co-borrowers as "pledged collateral", and certain real estate of the Company and co-borrowers including the real estate known as Hawthorne Race Course, which is owned by an affiliate/co-borrower of the Company. The agreements also contain certain limited joint and several guaranties of certain individual shareholders and related party affiliates. The credit facilities include certain financial covenants, as defined, for which the measurement period begins with the year ended December 31, 2016.

(Hawthorne App., Ex. 5, Consolidated Financial Statements for 2015 and 2014, Note 5); (Staff Report, Ex. 6, Pg. 8).

Hawthorne's and SDI's 2015 audited financial statements included the following subsequent events for 2016:

- (1) On April 20, 2016, Hawthorne refinanced its loan facilities with Signature Bank. The following loans were provided by Signature Bank:

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<sup>2</sup> Hawthorne's accountants reclassified a portion of its 2014 current liabilities (\$439,733) as long-term liabilities in the most current audit period. As such, the Z-score for 2014 was recalculated to reflect such change made by its auditors and to match the most current financial data provided. Thus, Hawthorne's Z-scores for 2014 and 2015 were calculated pursuant to the same method.

- (a) Term Loan A: \$800,000 due April 20, 2021 with monthly principal payments totaling \$6,667 used to purchase the Crestwood OTB;
  - (b) Term Loan B: \$12,500,000 due May 1, 2018 with interest only payments due – no monthly principal payments;
  - (c) Revolving Credit Facility: maximum revolving line of credit totaling \$5,500,000
- (2) On July 1, 2016, Hawthorne utilized restricted cash assets exceeding \$6,000,000, in addition to funds loaned by related parties to payoff Term Loan B.
- a. The related party loans payable by Hawthorne total \$8,013,000 of which \$7,000,000 is in the process of being converted into equity (ownership of Hawthorne). This results in cancellation of the respective related party loans and a decrease in Hawthorne's equity deficit.
  - b. The Revolving Credit Facility has a current outstanding balance totaling approximately \$4,500,000 with an additional \$1,000,000 of credit available.
- (3) Hawthorne purchased the Crestwood OTB real and personal property for \$800,000 on April 6, 2016 and the personal property of the Oakbrook Terrace OTB on March 1, 2016 and entered into a new lease for such location for \$50,000.
- (4) Hawthorne has entered into an exclusivity rights agreement with a potential buyer for the purchase and sale of the Corliss OTB for approximately \$2,650,000, proceeds of which will be utilized to pay down the Revolving Credit Facility, strengthening its liquidity.
- (Hawthorne and SDI Apps., Ex. 5); (Staff Report, Ex. 6, Pg. 6-13).

Based upon the following:

- (1) Repayment of Term Loan B;
- (2) Conversion of \$7,000,000 of related party loans payable into equity;



(3) Potential sale of the Corliss OTB for \$2,650,000; and,

(4) Cross-collateralized property and guarantees by related party affiliates,

Hawthorne and SDI can continue racing in 2017. The race dates awarded to Hawthorne and SDI are subject to the following condition:

Hawthorne and SDI are required to maintain the existing secured lines of credit and secured loans, and to produce written confirmation letters from those financial institutions verifying the loans have been maintained and extended, with sufficient available credit to satisfy all statutory obligations through the entirety of their respective 2017 race meet[ing].

(2016 Dates Order, Para. 9).

Based on the applicants' financial statements, the financial statement analysis and review, and the above condition placed on Hawthorne and SDI, the Board finds Arlington, Fairmount, Hawthorne and SDI each has the requisite financial integrity to conduct the race meetings pursuant to the dates delineated in this order.

10) Members of the Board have visited each Illinois racetrack and are familiar with the facilities and accommodations of each applicant. The Board notes the following about Illinois' three racetracks:

**Arlington Park**

- a) Arlington Park has a 1 1/8 mile main course with a synthetic racing surface (Polytrack) and a one-mile turf course. Both are ideal for thoroughbred racing.
- b) For its main course, Arlington utilizes the Fontana safety rail, which is preferred by thoroughbred jockeys.
- c) Arlington's public facilities and accommodations are superior for warm weather racing.
- d) Arlington's backside facilities are conducive for warm weather racing.
- e) Arlington has sufficient stall space to accommodate all race dates requested.

### **Fairmount Park**

- a) Fairmount Park has a one-mile dirt course and utilizes the Fontana Safety rail.
- b) Fairmount's public facilities and accommodations are adequate.
- c) Fairmount's backside facilities are adequate.
- d) Fairmount has sufficient stall space to accommodate all race dates requested.

### **Hawthorne Race Course & Suburban Downs Inc.**

- a) Hawthorne's accommodations for the public are adequate for all weather conditions.
- b) Hawthorne Race Course has a one-mile dirt course, equipped with lights, and a 7/8 mile turf course, which is ideal for thoroughbred racing.
- c) Hawthorne uses a removable, modified Fontana safety rail system, for thoroughbred racing and the "hubless hubrail" for standardbred racing. Thoroughbred jockeys prefer the Fontana safety rail and standardbred drivers prefer the hubless hubrail.
- d) Hawthorne's backside facilities and accommodations are adequate for all weather conditions. Hawthorne provides and maintains off-site housing for backstretch workers.
- e) Hawthorne has sufficient stall space to accommodate all race days requested.

### **STANDARDDBRED**

11) **Suburban Downs, Inc. at Hawthorne Race Course** in Stickney, Illinois has been in the standardbred horse racing business on and off since 1956. SDI was incorporated in 1956 and ran double headers in the 1970s and 1980s in January and February. Doubleheaders were being run Wednesdays, Fridays and Saturdays during the day and again at night. Hawthorne Race Course has a one-mile limestone course, which is excellent for standardbred racing. In 2016, SDI raced January 8 through February 6, racing five nights per week, and May 6 through September 25, racing 4 nights per week.

12) Representatives from SDI and Hawthorne (Tim Carey), along with representatives from Arlington (Richard Duchossois and Tony Petrillo) testified in support of its 2017 joint agreement between Arlington, Hawthorne and SDI ("Joint Agreement") and proposed racing schedule with Hawthorne, SDI and Arlington. (Tr., 17-50). To support its request, Hawthorne and SDI presented the testimony of Tim Carey, President of Hawthorne and SDI; Richard Duchossois, Chairman of Arlington; and, Tony Petrillo, General Manager of Arlington. *Id.* Mr. Carey testified, as a result of the 2016 joint agreement, "[e]veryone in Illinois racing should feel proud of the accomplishment in the face of such uncertainty." (Tr., 18). He went on to state, Hawthorne by its own willingness bore the brunt of work to maintain a full year of Illinois racing with two breeds; converted the race track three times (in the process of the fourth); coordinated the moving, housing and shipping of thousands of horses across both breeds; housed hundreds of residents living on and managed hundreds of workers at its facilities. (Tr., 19). Assuming Hawthorne runs its remaining programs in 2016, it along with SDI will have run 168 programs over 11 different months. *Id.* The Joint Agreement estimates overnight standardbred purses should exceed 2016 purses offered, as twenty-three (23) less programs will be offered in 2017. (Staff Report, Ex. 1).

In addition, Mr. Carey testified that Hawthorne and SDI have become more efficient with the track conversion; have the required capital to do so in 2017; and, the benefits of such track conversions and running both breeds in 2017 should continue to outweigh such costs. (Tr. 26-7; 32-3). Specifically, Mr. Carey advised, track conversion in 2016 was expensive, but it also allowed Hawthorne and SDI to market Hawthorne Race Course year round. (Tr., 27). Additionally, Mr. Petrillo testified that Arlington, Hawthorne and SDI will work together to create three (3) twilight programs that will promote thoroughbred racing at Arlington and

standardbred racing at SDI. (Tr., 16). The Joint Agreement would also provide for standardbred racing four (4) days per week for five (5) months. (Staff Report, Ex. 2, Pg. 1-4). In its 2017 application, SDI proposed a marketing and promotions budget of \$1.1 million. (SDI App., Ex. 23; (Staff Report, Ex. 10). SDI did not race in 2009 through 2015, but did in 2016.

The Board commends Arlington, Hawthorne and SDI in coming together for a second straight year and presenting the Joint Agreement for 2017 race dates with the goal of sustaining themselves, pursuing joint marketing efforts and willingness to work with the horseman associations to ensure the best interests of Illinois horse racing. (Tr., 25-6, 38, 85-6). Section 21(b) of the Act provides in pertinent part:

[t]he Board may exercise discretion in granting racing dates to qualified applicants different from those requested by the applicants in their applications. However, if all eligible applicants for organization licenses whose tracks are located within 100 miles of each other execute and submit to the Board a written agreement among such applicants as to the award of racing dates, including where applicable racing programs, . . . the Board may grant such dates and programs to such applicants as so agreed by them if the Board determines that the grant of these racing dates is in the best interests of racing. The Board shall treat any such agreement as the agreement signatories' joint and several application for racing dates during the term of the agreement.

(230 ILCS 5/21(b)). The Board finds the granting of racing dates requested pursuant to the Joint Agreement is in the best interests of racing.

## **THOROUGHBRED**

13) **Fairmount Park**, located in Collinsville, Illinois provides racing opportunities for downstate Illinois horsemen and racing fans. As they have done for the last several years, Fairmount and the Illinois HBPA submitted a joint request for thoroughbred race dates from May 2 through September 23, 2017 with a minimum of seven (7) races per day. (Tr., 22); (Staff Report, Ex. 2, Pg. 5-8). Fairmount has experienced financial difficulty in recent years that has

caused it to voluntarily reduce race days. (Tr., 21-4). Under Section 26(g)(7.1) of the Act, Fairmount must apply for at least as many live racing days as it conducted in calendar year 2000 in order to qualify for thoroughbred purses from simulcast and intertrack wagering. (230 ILCS 5/26(g)(7.1)). Fairmount has met this requirement by requesting 150 race dates for 2017. (Fairmount App. Intro Ltr); (Staff Report, Ex. 1). The statute does not, however, require the Board to award any specific number of live racing days to Fairmount. In 2016, Fairmount was awarded 42 days, May 3 through September 5, racing two and three days per week. (Staff Report, Ex. 1). Fairmount and the HBPA agreed to a 41-race day race meeting with a minimum of 7 races per day, more if sufficient horses exist. (Tr., 22-3); (Staff Report, Ex. 2, Pg. 5-8). Fairmount's request for a 41-race day schedule in 2017 represents a reduction of one day compared to the dates awarded in 2016. *Id.* Brian Zander, President and General Manager of Fairmount, testified:

So we're happy with what we've been able to accomplish this year, given the circumstances. We're one of the few tracks in the country whose live on-track handle was actually up, and please remember that's with 12 percent, i.e. one less race per day. And even the amount of money wagered on Fairmount, although it's not very high, once again with one less race, that was up, and once again that's bucking national trends all over the country.

(Tr., 24). In its 2017 application, Fairmount proposed a marketing and promotions budget of \$338,800. (Fairmount App., Ex. 23); (Staff Report, Ex. 10). In 2015, actual marketing expenditures were \$406,184. (Fairmount App., Ex. 22); (Staff Report, Ex. 10).

14) The HBPA agreed with Fairmount to conduct fewer than 100 live days of racing at Fairmount in 2017, thus, allowing Fairmount to qualify for intertrack wagering location licenses pursuant to Section 26(h)(1)(iii)(B) of the Act. (Fairmount & HBPA Ltr dtd 9/5/16); (Staff Report, Ex. 2, Pg. 5-8).

The agreement between Fairmount Park and the HBPA, provides:

At the close of business on, September 5, 2016, (our final day of Thoroughbred racing) the Horseman's Purse balance was overpaid, \$2,093,000, which includes \$1,485,000 of deferred training expenses. In both 2015 and 2016 the track proposed vacating dates, which would have saved approximately, \$850,000. The horseman objected strongly in both years and no dates were vacated either year.

*Id.* Mr. Zander also testified:

But the [HBPA] understand[s] our situation in terms of purses. We're highly overpaid at this point. We are earning a little bit of it back right now as we are in a period of non-live racing, but we are getting revenue from ADW and from off-track betting and simulcast wagering.

(Tr., 23). Pursuant to Section 26(h)(1)(iii)(C) of the Act, the Board finds that as a result of the insufficient level of purses available, that extraordinary circumstances exist, and that it is in the best interests of the sport of Illinois horse racing and Illinois public to conduct fewer than 100 live days of racing at Fairmount. (Tr., 21-4, 39-40, 44-5); (Fairmount & HBPA Ltr dtd 9/5/16)

15) **Hawthorne Race Course** in Stickney, Illinois has been in the thoroughbred horse racing business for 107 years. Hawthorne Race Course has a one-mile dirt course and a 7/8 mile turf course, which are both excellent for thoroughbred racing. Hawthorne Race Course's turf course can be used in the spring, as it can regenerate in the summer and be ready for turf racing in the fall. Annually, Hawthorne traditionally starts the Illinois thoroughbred racing season in late winter, early spring and closes the thoroughbred season in late fall, early winter. In 2016, Hawthorne raced January 1 and 2, March 7 through April 30, racing two to three days per week, and is scheduled to race from September 30 through December 31, racing three to four days per week. (2016 Dates Order, Para. 31); (Staff Report, Ex. 1). The Board finds that strong race programs conducted in March and April at Hawthorne Race Course are critical to maintaining a

healthy horse population ready to run at Arlington in the summer. Hawthorne, historically, hosts the prestigious Grade II Gold Cup and the Grade III Illinois Derby, however, it suspend its stakes races in 2016.

16) Mr. Carey testified the Joint Agreement will enable Hawthorne “to restart a stakes program that was suspended this year in order to maintain the purses necessary for a stable racing schedule in a year of incredible transition and uncertainty.” (Tr., 20). Hawthorne’s thoroughbred meet emphasizes more Illinois bred races and provides racing opportunities and purses for more Illinois horsemen and those who are unable to race at Arlington. The Joint Agreement proposes 59 live and 91 dark host days for Hawthorne and 71 live and 144 dark host days for Arlington in 2017. (Staff Report, Ex. 2, Pg. 1-4). In its 2017 application, Hawthorne proposed a marketing and promotions budget of \$1,270,000. (Hawthorne App., Ex. 23); (Staff Report, Ex. 10). The total marketing expenditures for 2015 were \$1,785,668. (Hawthorne App., Ex. 22); (Staff Report, Ex. 10).

Mr. Carey’s provided the following review of Illinois’ horse racing industry in 2016:

We’ve seen two racetracks close. We’ve seen seven OTBs close. And prior to, and following those closures, as an industry truly we didn’t know the impact of what that would have on racing in the State of Illinois. Thankfully last September the Board and the remaining industry shareholders, that being Fairmount, ourselves and Arlington, agreed to a plan for Illinois racing which we believe was the best course of action for the state.”

(Tr. 18). He also stated due to the 2016 joint agreement, “I’m proud to report that one year later this plan has worked. Collectively we kept people working, we kept races running, and we kept the industry’s patrons engaged. *Id.* Mr. Petrillo testified regarding the 2016 joint agreement:

Last year, if you recall, we had an agreed-upon schedule and we found many benefits in that agreed-upon schedule.” That gave us the opportunity for the first time that I can remember to do a lot of cross promotion and marketing opportunities between Arlington

and Hawthorne, not just for the thoroughbred but also for the harness so that we're working in tandem with one another so that we can form the market and keep the interest of the market.

(Tr. 14). Mr. Carey also testified, "Without slots or incremental gaming income, Illinois cannot offer purses that will keep horsemen working and racing year-round. But what we can do, and our application proposes, is to keep as much live racing in Illinois as possible year to year." (Tr., 20). The Joint Agreement provides for live racing in Illinois from March through December 2017. *Id.* For 2017, Hawthorne has requested thoroughbred race dates from March 3 through April 1, two days per week on Fridays and Saturdays; from April 2 through April 29, three days per week on Thursdays, Fridays, and Saturdays; from October 1 through November 4, four days per week on Wednesdays, Thursdays, Fridays, and Saturdays; from November 5 through December 2, racing three days per week on Thursdays, Fridays, and Saturdays; and from December 3 through December 31, racing two days per week on Fridays and Saturdays; and dark October 4, 5 and November 23. Hawthorne requested a total of 59 live race days in 2017, as compared to 65 days awarded in 2016. (Hawthorne App., Intro Ltr); (Staff Report, Ex. 1).

17) **Arlington Park**, located in Arlington Heights, Illinois is viewed nationally and internationally as a premier racing facility and has been successful in attracting world-class horses and horsemen. The Board has historically awarded Arlington a thoroughbred race meeting that spans the entire summer. In 2016, Arlington raced from May 1 through September 29, racing three days per week in May, June and September and four days per week in July and August. (2016 Dates Order, Para. 30); (Staff Report, Ex. 1). Arlington's on-track attendance has traditionally been the strongest in the state with an average daily attendance in 2016 of 7,862 through September 10, 2016. (Staff Report, Ex. 4, Pg. 7). Arlington's stakes program includes its centerpiece, the Grade I Arlington Million, which generates substantial fan interest in Illinois



and nationwide. Out-of-state wagering on Arlington's live product averaged \$1.3 and \$1.275 million daily in 2015 and 2016, respectively. *Id.* Arlington has a synthetic surface race track, installed in 2007 and a first class turf course. Arlington's 2017 application proposed a marketing and promotions budget of \$4.2 million. (Arlington App., Ex. 23); (Staff Report, Ex. 10). In 2015, actual marketing expenditures were \$4,239,018. (Arlington App., Ex. 22); (Staff Report, Ex. 10). For 2017, Arlington has requested live racing three days per week on Fridays, Saturdays and Sundays from April 30 through July 9 and September 5 through September 30 on Thursdays, Fridays, and Saturdays; and live racing four days per week on Thursdays, Fridays, Saturdays and Sundays from July 10 through September 4, including 3 twilight races coordinated with SDI. (Arlington App., Intro Ltr); (Tr., 16, 24-5, 48); (Staff Report, Ex. 1).

18) Representatives from Arlington (Richard Duchossois and Tony Petrillo) and Hawthorne and SDI (Tim Carey) presented their Joint Agreement to the Board. (2017 Applications); (Tr., 11-50, 77). Again, the Joint Agreement proposes 71 live and 144 dark host days for Arlington and 59 live and 91 dark host days for Hawthorne in 2017. (Staff Report, Ex. 2, Pg. 1-4). The Joint Agreement designates host track status (no live racing) from January 1 through March 2 to Arlington. Arlington requested a total of 71 live race days in 2017, as compared to 74 days awarded in 2016. (Staff Report, Ex. 1).

Mr. Duchossois provided testimony on the background of the Joint Agreement. (Tr., 11-4). Specifically, Illinois racing has serious problems – its purse structure – and the only way to get a purse structure is through the sale of pari-mutuel tickets. (Tr., 12). Mr. Duchossois stated all of the Illinois racetracks are together and the Joint Agreement is designed to produce a profitable, solid business industry that the State of Illinois can be proud of and generates, not uses Illinois revenue. (Tr., 14). Mr. Carey testified that “[t]he plan that we’ve submitted,

Arlington, ourselves and Fairmount Park, continues to provide that stability, but it also addresses the realities of Illinois racing to date.” (Tr., 20). The realities are, Illinois racing cannot compete with many other jurisdictions, including, Indiana, Ohio, New York, Louisiana, or Delaware. *Id.*

Mr. Petrillo testified that it is Arlington’s mission to sustain purse levels across the year, which is difficult. (Tr., 42). For instance, only approximately seven percent (7%) of overnight races cover their purse, thus, just about every day the purse account is negative. *Id.* Mr. Petrillo provided the following recap of the 2016 joint agreement and what the Joint Agreement means for 2017 and 2018:

Absolutely, [2016] was much better. We had a joint agreement with Hawthorne. It took a lot of contention out of the industry and brought the tracks closer together than I’ve ever experienced, working to cross promote both thoroughbred and harness racing. I think I remember a quote from a previous chairman in 2009 or ’10 or so that, ‘By doing the same thing over and over, we may have inadvertently led to the demise of racing’, and I agree with that. I think 2016 was the catalyst to work, to making things better in Illinois and kind of healing those arguments that we had over this very small piece of pie, and robbing Peter to pay Paul, and it didn’t benefit anyone. So, yes, I would say 2016 was a catalyst for years to come in that we were able to get to a schedule this year. And I just want to remind the Board or state that for the record that this is only a one-year agreement. If we can’t make it this year, 2018 is going to look a lot different so far as racing opportunities. We’re doing everything we can to stabilize the industry between the two racetracks, provide a purse structure that is going to remain attractive to horsemen, that will hopefully keep the horse population very active and allow us to offer a better quality product that will result in more wagering, higher purses or be able to sustain the purse levels, track commissions, and revenue to the state for the staff to be able to do their job and the Racing Board to fulfill their statutory and regulatory responsibilities.

(Tr., 37-8). Mr. Petrillo also stated,

Our agreed-upon schedule this year is the best we can develop under the current economic conditions that we have and allow us to operate another year with the maximum number of racing opportunities so that we can keep that market very flush and very

interested in Illinois racing. We have projected purse levels that we anticipate that will be supported by an active horse population that will result in wagering.

(Tr., 15). Moreover, Mr. Petrillo advised that Arlington and Hawthorne are committed to stimulating the growth of Illinois racing to offset some of the declines over the last decade. (Tr., 16). For instance, Arlington, Hawthorne and SDI proposed three (3) twilight racing programs that would promote thoroughbred racing at Arlington and standardbred racing at SDI. *Id.* Arlington and Hawthorne and SDI believe the Joint Agreement, which provides for 10 months of thoroughbred racing and increased purses, gives the horsemen the best opportunity to stay and race in Illinois, not just stable in Illinois and ship out and race elsewhere. (Tr., 15-6, 19-20).

19) Michael Campbell, President; David McCaffrey, Executive Director; and, Directors, Chris Block and Steve Holland; testified on behalf of the ITHA (Tr., 54-76). The ITHA and HBPA were asked, “[i]f you had some thoughts on the schedule that’s proposed for next year in general, and more specifically when Mr. Duchossois said the primary problem in Illinois purses, did you agree, and do you think the plan for this year and next year is a good one insofar as addressing that problem?” (Tr. 55). Mr. Campbell testified, “[W]e’re happy that the tracks have an agreement, that’s good for the industry as we see it. For this year for sure.” *Id.* He also stated the ITHA is concerned about purse levels and horse population next year. *Id.* Furthermore, he emphasized the ITHA wants to cooperate with Arlington and Hawthorne and wants to be a part of the solution and is willing to do its part to ensure it happens. (Tr., 56). Moreover, Campbell stated, “[s]o we’re going to be working actively in participating with our Southern Illinois HBPA horseman down here and the rest of the industry to pass the gaming bill this year.” *Id.* While testifying regarding purses, Mr. McCaffrey stated:

At this particular time, the important project we have in our industry in Illinois is to increase purses. If we can’t increase

purses, all other activities are moot. While we the horsemen unequivocally support the sentiments of those two sentences, we cannot take credit for them. They're the words of Mr. Dick Duchossois.

(Tr., 59).

20) Melissa Williams, an Illinois thoroughbred breeder and a Director of the ITBOF, testified on behalf of the ITBOF. (Tr., 51-3). The ITBOF did not object to the Joint Agreement. *Id.* ITBOF President, Daniel C. Sullivan, in a letter to the Board dated September 22, 2016, asked the Board “to undertake regulation to achieve a maximization of purses by the imposition of appropriate conditions that are imposed upon the dates awarded race track licensees in 2017.” (ITBOF ltr dtd 9.22.16, Pg. 1-4). The ITBOF believes that “without Illinois horses there would be no Illinois race tracks. Without Illinois race tracks there would be no Illinois horses.” *Id.* The ITBOF argues, to ensure the continuation of Illinois horse racing, purses need to increase, thus, the Board must condition the awarded dates and impose “regulation on the quality of the races provided, the number of starts provided, and the allocation of funds available to the purse accounts used by the various tracks.” *Id.* This must be done to enhance and prioritize the purse account for the owners’ benefit, including Illinois horses at the expense of horses foreign to Illinois. *Id.* In addition, the number of thoroughbred foals has decreased from 730 in 2010 to 349 in 2015. *Id.*

21) The Illinois Harness Horsemen’s Association did not testify at the 2017 Dates Hearing, but submitted a written position requesting additional race dates be conducted by SDI in 2017. (Staff Report, Ex. 2, Pg. 9-10).

22) Section 3.075(a) needs to be waived so an Organization Licensee can be eligible for simulcast host track status through December 31, 2017, if racing fewer than five (5) days per week and fewer than nine (9) races per day is desired in 2017. “Host track” is defined in Section

3.075(a) of the Act. (230 ILCS 5/3.075(a)). Mr. Zander and Mr. Petrillo advised the Board that the HBPA and ITHA, respectively, have provided them written consent to race less than five (5) days per week and nine (9) races per day for 2017. (Tr., 23, 77); (Staff Report, Ex. 2, Pg. 7); (Arlington and ITHA Agreement dtd 4.29.16); (Fairmount & HBPA Ltr dtd 9/5/16). The IHHA and ITHA did not waive section 3.075(a) at or prior to the 2017 Dates Hearing for SDI and HRC, respectively, but Mr. Carey stated he expects an agreement with such consent can be reached with both. (Tr., 45-7, 74-6).

23) The Board finds that Illinois thoroughbred and standardbred racing, wagering and revenues, are still in decline. Handle at brick and mortar locations dropped an additional 10% in 2016, but with Advance Deposit Wagering, total handle is down 5%. (Staff Report, Ex. 4). Out-of-state handle on Illinois races was down 18%. *Id.* The State receives no revenue from out-of-state handle on Illinois races. *Id.* Arlington's Illinois handle was down 1% in 2016 on live races, and attendance decreased by 2%. *Id.* Arlington's out-of-state handle on its races decreased by 2%. *Id.* Hawthorne's Illinois handle was down by 10% over its 2015 Spring programs. *Id.* Out-of-state handle on Hawthorne's races was down 4%. *Id.* On the standardbred side, the Illinois handle of the SDI meeting at Hawthorne in 2016 increased by 6% over the Balmoral/Maywood meetings in 2015. Also, out of state handle on SDI races was 12% higher than that of the 2015 Balmoral/Maywood meetings. *Id.* Fairmount's Illinois handle was down 1% and out-of-state handle on its races increased by 3%. *Id.*

24) The Board has considered each of the applicants consistent with the factors enumerated in Section 20(e-5) of the Act. (230 ILCS 5/20(e-5)). Considering all of the evidence, the Board finds that adopting the Joint Agreement with ten (10) months of thoroughbred and five (5) months of standardbred racing is necessary in order to sustain and promote Illinois' horse racing

industry; ensure Illinois' horse racing industry remains competitive with neighboring and other states; to ensure the integrity of horse racing; and, to serve the best interests of the Illinois public. (230 ILCS 5/21(b)). Consistent with its obligation to act in the best interest of the sport of Illinois horse racing and Illinois public; to determine an overall schedule which enhances and supports Illinois' horse racing industry, ensures that Illinois' horse racing industry remains competitive with neighboring and other states, promotes tourism, stimulates growth within Illinois' horse racing industry, encourages the breeding of horses in Illinois, and ensures that public confidence and trust in the credibility and integrity of Illinois' horse racing operations; and, the regulatory process is maintained, based on the applications, exhibits, and testimony,

**IT IS HEREBY ORDERED:**

25) Forty-one (41) days of thoroughbred racing are allotted to Fairmount, to be conducted at Fairmount Park from May 2, 2017 through September 23, 2017. (Tr., 79). Racing two days per week on Tuesdays and Saturdays. *Id.* Racing on September 4 and dark on September 2 and 5. *Id.* Fairmount shall card no less than seven races per program. (Tr., 80). Post-time shall be 1:00 p.m. on Mondays and Tuesdays, 7:30 p.m. on Saturdays, and 1:00 p.m. on May 6. (Fairmount App., Intro Ltr.

26) Seventy-one (71) days of thoroughbred racing are allotted to Arlington, to be conducted at Arlington Park from April 30, 2017 through September 30, 2017. (Tr., 80-1). In addition, Arlington is awarded host track status from January 1, 2017 through March 2, 2017 with no live racing. (Tr., 81). Commencing May 5, Arlington will race three days per week through July 9, Fridays, Saturdays, and Sundays. *Id.* Racing Mondays, May 29 and July 3, dark on May 7 and 21. *Id.* Four days per week, July 10 through September 4, Thursdays through Sundays, and three days per week September 5 through September 30, Thursdays, Fridays, and Saturdays;

racing September 4th, and dark August 31st and September 24 through September 30. *Id.* Pursuant to the Joint Agreement, Arlington shall conduct three (3) twilight programs with a post time of approximately 4:30 p.m., and notification to the Board of exact dates shall be no later than February 1, 2017. *Id.* Post-times shall be 1:15 p.m., except Kentucky Derby Day and Million Day with a post-time dependent upon the number of races being conducted. Post-time on Fridays shall be 3:00 p.m. (Arlington App., Intro Ltr). Arlington shall conclude its Friday afternoon program (last race declared official) by 7:25 p.m. so as not to conflict with SDI's evening program. Arlington shall operate as the Illinois host track for the entirety of its race meeting, even on days and during weeks when no live racing occurs. From March 5 through March 26, 2017, on 16 non-racing days, purse commissions earned by Hawthorne shall be transferred to Arlington's purse account per the Joint Agreement. (Tr., 81).

27) Fifty-nine (59) days of thoroughbred racing are allotted to Hawthorne, to be conducted at Hawthorne Race Course from March 3, 2017 through April 29 and October 1 through December 31, 2017. (Tr., 80). Hawthorne will race March 3, through April 1, two days per week on Fridays and Saturdays; April 2 through April 29, three days per week on Thursdays, Fridays, and Saturdays; October 1 through November 4, four days per week on Wednesdays through Saturdays, dark October 4 and 5; November 5 through December 2, three days per week on Thursdays, Fridays, and Saturdays, dark on November 23; and December 3 through December 31, two days per week on Fridays and Saturdays. *Id.* During live racing, post-times shall be 2:10 p.m., except that Hawthorne may have a 3:00 p.m. post on Fridays, as daylight may permit. (Hawthorne App., Intro Ltr). Hawthorne shall operate as the Illinois host track for the entirety of its race meeting, even on days when no live racing occurs. From March 5 through March 26, 2017, on 16 non-racing days, purse commissions earned by Hawthorne shall be transferred to

Arlington's purse account per the Joint Agreement. (Tr., 81).

28) Eighty (80) nights of standardbred racing are allotted to SDI to be conducted at Hawthorne Race Course from May 11, 2017 through September 24, 2017, four nights per week, Thursdays through Sundays. (Tr., 82). In addition, SDI is awarded nighttime host track status for the entirety of 2017. Post-time shall be 7:20 p.m. (SDI App., Intro Ltr).

29) No Organization Licensee receiving racing dates pursuant to this order shall be deemed to have a vested interest, property right or future expectation to receive an organization license in any subsequent year as a result of the granting of an organization license for the calendar year 2017. (230 ILCS 5/20(f)).

30) Each Organization Licensee shall adhere to their published post times for each race, except when minor adjustments are necessary. (Tr., 83).

31) Each Organization Licensee shall maintain an open backstretch for the entirety of its respective race meeting and sufficient housing for back stretch workers and sufficient stall space to accommodate horses for all race dates awarded. *Id.* Housing shall be consistent with the applicable state and local occupancy statutes and ordinances. *Id.*

32) Each Organization Licensee shall have a written contract with their respective horsemen's association no later than ninety (90) days before the commencement of their respective race meeting. If no agreement is reached by the 90-day deadline, the Organization Licensee shall immediately notify the Board's Executive Director who shall notify the Board's Chairman, who will either serve as a mediator or designate a mediator for the resolution of the dispute. (Tr., 82).

33) The Board requests each Organization Licensee, pursuant to Section 3.075(a) of the Act, to have a written agreement with their respective horsemen's association to allow a lesser



schedule than five days of racing per week and less than nine races per day. (Tr., 82-3).

34) As a condition of their organization license, Hawthorne and SDI shall use a sufficient number of HVAC and/or portable air conditioning units at Hawthorne Race Course to satisfy Board staff. (Tr., 34); (2016 Dates Order, Para. 39).

35) As a condition of its Organization License, Arlington shall notify the Board, on or before February 1, 2017, of the exact dates of the three (3) twilight race programs with post times at approximately 4:30 p.m. (Tr., 81).

36) From March 5 through March 26, 2017, on 16 non-racing days, purse commissions earned by Hawthorne shall be transferred to Arlington's purse account, per the Joint Agreement. *Id.*

37) Board staff shall provide under separate cover a list of general maintenance items that must be completed to the satisfaction of the Board.

38) Each Organization Licensee shall:

- a) Post signage and print a statement in the racing program pursuant to the following statutory requirements:
  - i. assistance with gambling problems. (230 ILCS 5/34.1); and
  - ii. delinquent child support. (230 ILCS 5/34.2).
- b). Make available no less than two automated external defibrillators (AEDs) that are operational and accessible when backstretch workers are present at their racing facilities. At least one AED shall be placed in the paddock and at least one on the backstretch. (230 ILCS 5/31.2).

39) Each Organization Licensee shall establish and maintain security staffing at a level that is satisfactory to the Board.

40) Each Organization Licensee shall designate in writing to the Board, a compliance officer on or before December 1, 2016. (Tr., 83).

41) Each Organization Licensee shall furnish to the Board annually the following inspection reports:

- a) A report from the Health Department of the municipality in which the track is located, or the Health Department of the County or State if the municipality lacks jurisdiction. This inspection report shall include, but not be limited to, an inspection of kitchen and concession equipment, water supply, sewage, drainage, housing and sanitation facilities of both the backside and the public areas. This report shall state that the facilities inspected at the particular track are in satisfactory compliance with the applicable health code provisions.
- b) A report from the Building Department of the municipality in which the track is located, or the Health Department of the County or State if the municipality lacks jurisdiction, stating that all the buildings located on the physical plant of the particular track are in satisfactory compliance with the applicable building code provisions.
- c) A satisfactory report from the State Fire Marshal's Office. This report shall detail any corrective action required in the areas of fire prevention, detection, suppression, construction, or health and safety addressed by the State Fire Marshal, the Board's Fire Safety rules (11 Ill. Adm. Code 403), or any state statutes which may be applicable. If the track appeals the findings of the Office of the State Fire Marshal, a copy of said appeal shall be filed with the Board in lieu of the Statement of Satisfactory Compliance. All tracks shall keep Board staff apprised of the status of any appeals.
- d) Copies of all interim inspection reports, citing code and fire rule violations, if any, shall be submitted to the Board by the Organization Licensee within three (3) working days of receipt by the Organization Licensee. In the event of successive race meetings of the same breed at the same track, only the first organization need submit the inspection reports required in this paragraph, unless any applicable rules require additional inspections.

42) Prior to the issuance of an organization license, each Organization Licensee (including inter-track wagering licensees, when applicable) shall file an admission tax bond in the amount of \$25,000, except Arlington, which shall be \$50,000, and a pari-mutuel tax bond in the amount of \$200,000. (230 ILCS 5/21(e), 25). Said bonds shall be filed with the Board not less than 20 calendar days prior to the opening of each applicant's race meeting. (230 ILCS 5/20(h)).

- 43) Each Organization Licensee, within 10 (ten) days of receipt of this final executed Dates Order, shall file with the Board an acceptance of the award, and pay to the Board one hundred ten dollars (\$110) for each racing date awarded. *Id.*
- 44) Each thoroughbred Organization Licensee shall submit its proposed stakes schedule to the Board, including proposed purses, at least sixty (60) days prior to the opening day of its race meeting.
- 45) Each Organization Licensee accepting thoroughbred dates under this order shall publish condition books covering at least the first seven (7) days of the race meeting and make them available to horsemen at least three (3) weeks prior to opening day of its race meeting; except Hawthorne and Fairmount, which shall provide such books no later than six (6) weeks prior to opening day of its race meeting. Thereafter, condition books shall be provided no later than three (3) weeks prior to the effective date of the first day of racing provided in such subsequent condition books.
- 46) Each Licensee shall make pari-mutuel settlements for a fifteen (15) day cycle, mutually agreed upon by the 2017 Organization Licensees. Pari-mutuel settlements include, but are not limited to, track commissions, purse commissions, breakage, surcharges, and interstate host fees. Custodial outs shall be settled on a monthly cycle.
- 47) The failure of any Organization Licensee to satisfy any of the aforementioned conditions or mandates to the Board's satisfaction may result in civil penalties being assessed against them, rescission of their racing dates, and revocation of their organization licenses. (230 ILCS 5/9(l)).
- 48) All notices required to be given pursuant to this Dates Order to the Board or its designee, shall be in writing and addressed to the Parties or their successors by sending via electronic mail

("e-mail") transmission. Notices sent via e-mail, shall be effective as of the date and time of the e-mail transmission when sent as follows:

Executive Director  
e-mail: domenic.dicera@illinois.gov

**with a copy to:**

General Counsel  
e-mail: mike.pieczonka@illinois.gov

**and a copy to:**

Projects Manager  
e-mail: mickey.ezzo@illinois.gov.

49) Attached as Appendix A and made a part hereof is a chart of the 2017 race dates awarded.

50) The IRB Commissioners unanimously approved the 2017 racing schedule by a vote of 9 to 0. (Tr., 83-4).

51) This is a final administrative decision subject to the Administrative Review Law. (230 ILCS 5/46). This decision may be challenged by the filing of an action for administrative review within thirty-five (35) days of deposit in the U.S. mail. (735 ILCS 5/3-103).

52) This document may be executed in one or more counterparts, each of which shall be deemed an original and all of which together shall constitute one document. Signatures may be transmitted initially by email or facsimile, with hard copy to follow.

[Signature Page to Follow]

## APPENDIX A

### 2017 LIVE RACING DATES SCHEDULE

#### THOROUGHBRED

	<u>Host Days</u>	<u>Live</u>	<u>Dark</u>
<b>Arlington Park</b> April 30 through September 30	215	71	144
<b>Fairmount Park</b> May 2 through September 23	n/a	41	
<b>Hawthorne Race Course</b> March 3 through April 29 October 1 through December 31	150	59	91

#### STANDARD BRED

	<u>Host Days</u>	<u>Live</u>	<u>Dark</u>
<b>Suburban Downs Inc. at Hawthorne Race Course</b> May 11 through September 24	365	80	285

**BOARD ORDER SIGNATURES  
RACING DATES FOR 2017**

  
Jeffrey Brinca, Chairman

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Shelley Kalita

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Robert Lunt

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Arlene J. Mulder

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Robert Muriel

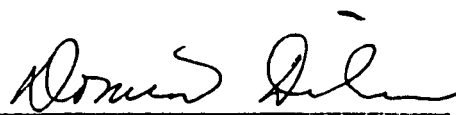
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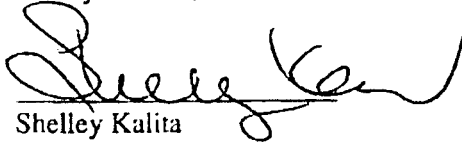
Action taken by the Board at its  
September 27, 2016 meeting.

  
Domenic DiCera, Executive Director

OCTOBER 15, 2016  
Date Executed

**BOARD ORDER SIGNATURES  
RACING DATES FOR 2017**

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Jeffrey Brincat, Chairman

  
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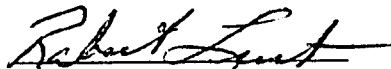
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RACING DATES FOR 2017**

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**BOARD ORDER SIGNATURES  
RACING DATES FOR 2017**

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September 27, 2016 meeting.

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Travis Swoope

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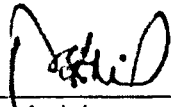
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RACING DATES FOR 2017**

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September 27, 2016 meeting.

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Domenic DiCera, Executive Director

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Travis Swoope

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RACING DATES FOR 2017**

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Action taken by the Board at its  
September 27, 2016 meeting.

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Robert G. Schiewe, Jr.

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Domenic DiCera, Executive Director

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Date Executed

BOARD ORDER SIGNATURES  
SEPTEMBER 27, 2016 BOARD MEETING  
2017 RACING DATES

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Jeffrey Brincat, Chairman

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Shelley Kalita

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Robert Lunt, DVM

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Arlene Mulder

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Gregory W. Sronce

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Travis Swoope

Action taken by the Board at it's  
September 27, 2016 meeting

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Domenic DiCera,  
Executive Director

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Date Executed

**BOARD ORDER SIGNATURES  
RACING DATES FOR 2017**

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Jeffrey Brincat, Chairman

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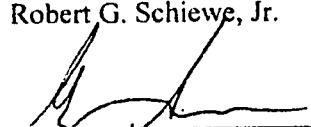
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Hugh Scates

Action taken by the Board at its  
September 27, 2016 meeting.

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Robert G. Schiewe, Jr.

  
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Gregory W. Sronce

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Domenic DiCera, Executive Director

\_\_\_\_\_  
Travis Swoope

\_\_\_\_\_  
Date Executed

**BOARD ORDER SIGNATURES  
RACING DATES FOR 2017**

\_\_\_\_\_  
Jeffrey Prineas, Chairman

\_\_\_\_\_  
Shelley Kohn

\_\_\_\_\_  
Robert Lunt

\_\_\_\_\_  
Arlene J. Mulder

\_\_\_\_\_  
Robert Muriel

\_\_\_\_\_  
Hugh Scates

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Robert G. Schiewe, Jr.

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Gregory W. Sence

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Travis Swooge

Action taken by the Board at its  
September 27, 2016 meeting.

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Domenic DiCera, Executive Director

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Date Executed